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**RECORDS MANAGEMENT POLICY**

**and**

**RETENTION AND DISPOSAL SCHEDULE**

**Date: March 2023**

**INTRODUCTION**

Worcestershire Regulatory Services has a statutory duty to make arrangements for the safekeeping and eventual disposal of its records. The primary function of this Policy is to provide a framework for the management of records, with regard to their preservation, retention and destruction.

A record is any recorded information regardless of medium including paper, microform, electronic, audio-visual and record copies of publications. As an organisation, Worcestershire Regulatory Services recognises that its records are an important key resource to its effective operation and accountability. Therefore, careful management is required and this policy provides a structure and sets out Worcestershire Regulatory Services’ responsibilities and processes with regard to the management and retention of its records.

The retention schedule is a guide to all the records we create and an instruction as to when these records should be destroyed or permanently preserved. This schedule sets out the retention periods; that is the length of time a record must be retained before it is destroyed. Worcestershire Regulatory Services will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its’ statutory functions and provision of services. The suggested retention periods are a guide based on best practice, and applied to all records

Worcestershire Regulatory Services is hosted by Bromsgrove District council and will predominantly follow Bromsgrove’s policies and processes to support service delivery. However, due to the nature of the activities being undertaken Worcestershire Regulatory Services will need to adopt its own policy that will complement the host’s arrangements. This is one of those occasions.

**PURPOSE**

The purpose of this policy is to ensure that necessary records and documents are adequately protected and maintained and that records of no further use to Worcestershire Regulatory Services are discarded at the proper time and in the correct manner. This Policy is also for the purpose of aiding employees of Worcestershire Regulatory Services in understanding their obligations in regard to managing their records.

**AIMS AND OBJECTIVES**

1. To retain important documents for reference and future use;

2. Delete documents that are no longer necessary for the proper functioning of

Worcestershire Regulatory Services

3. Organise important documents for efficient retrieval

4. Ensure that all staff know which documents should be retained, the length of their retention, means of storage, and when and how they should be destroyed

5. To ensure compliance with legislative requirements concerning proper management of records including Freedom of Information Act 2000, Data Protection Act 2018, and Environmental Information Regulations 2004

6. All records are clearly marked with title, reference and index numbers and where necessary security marked.

7. Ensure all staff are trained and understand their record management responsibilities including their obligations regarding Freedom of Information and Data Protection.

8. To ensure that high confidentiality, quality, and availability standards of information are maintained.

9. Prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration.

**DEFINITION OF RECORDS AND DOCUMENTS**

This policy is relevant to records which are electronic, paper or records which have been transferred to another format such as microfiche. The records can take many forms and includes, but is not limited to, the following:

* Hard copy data printed or written on paper
* Data stored electronically
* Communications sent by post/courier or using electronic means
* Recorded Audio, Video & Still photography
* GIS
* Desktop Applications
* Intranet and Public Website

**STANDARD OPERATING PROCEDURE (SOP)**

There are some records that do not need to be kept at all. “The Standard Operating Procedure” defines types of records that can be routinely destroyed in the normal course of business. SOP usually applies to information that is duplicated, unimportant or only of short-term facilitative value. Unimportant records or information include:

• ‘with compliments’ slips

• catalogues

• telephone message slips

• non-acceptance of invitations

• trivial email messages or notes that are not related to Worcestershire Regulatory Services business

• out-of-date distribution lists

SOP should not be applied to records or information that can be used as evidence to prove something has happened.

**RETENTION AND DISPOSAL**

Retention periods must be determined and recorded for all records in accordance with the Retention Schedule attached. This will be posted on the Council’s intranet and website for staff use and public information respectively. This is a controlled document which will be reviewed annually by the Head of Service.

Retention periods also apply to electronic records, including e-mail

At the end of the retention period, records must be assessed to determine whether further retention is necessary beyond the specified period.

Once it has been determined that a record is no longer required, it must be securely disposed of in accordance with the disposal procedure specified for that particular type of record: ie:

* Emails – It is good practice all sent emails should be saved in “sent items” mailbox and the original email should be included in the reply to that email. ALL IMPORTANT EMAILS SHOULD BE STORED IN THE RECORDS MANAGEMENT SYSTEM. ALL OTHER EMAILS IN ANY MAIL FOLDERS WILL BE AUTOMATICALLY DELETED AFTER 6 YEARS (HAVING BEEN ARCHIVED AFTER 2 YEARS) AND ANY ITEMS IN DELETED FOLDERS ARE AUTOMATICALLY DELETED AFTER 28 DAYS, IF NOT EARLIER.
* All audio recordings of Police and Criminal Evidence Act 1984 interviews are retained for a minimum of two years with the exception that prosecution tapes are retained for 6 months from the date of completion of the prosecution process.
* Disposal procedures for paper records can include shredding; use of the confidential waste disposal system; and/or contractual arrangements with offsite storage facilities and the disposal of electronic storage. Records must not be placed into waste bins other than those specifically for confidential waste for disposal.
* All prosecution exhibits are to be retained for 28 days from completion of the prosecution process

Whenever there is the possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

**WHERE A REQUEST FOR ACCESS TO THE RECORDS HAS BEEN REFUSED**

Where there has been a refusal of a request for information under the Freedom of Information Act 2000 or other legislation which, if granted, would have led to that record being disclosed, the record must be retained until the end of the period in which an appeal can be made, or the end of the appeals procedure, whichever is the later. These records will be maintained by the Host authority.

**ADDITIONS/AMENDMENTS TO THE SCHEDUE**

The record keeping requirements will change over time and it will be necessary to update this Schedule to reflect this. The Disposal Schedule will be reviewed and updated where necessary.

**RECORDS OF HISTORIC OR INTRINSIC VALUE**

In most cases this consideration will not be applicable. However, it is certainly possible that some documents currently held may be of historic interest and/or even have some monetary value. Where it is suspected that the document falls within this description appropriate enquires should always be made before taking any further action. The Information Manager of the Host Authority should be contacted for advice and guidance in the first instance.

Even if the document is of historical or monetary value, disposal rather than retention by the Council, may well be the appropriate option – but in the form of transfer to, say, the County Records office; or even sale to an external body.

**RETENTION SCHEDULE**

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| **Function Description** | **Retention Period** | **Retention action** | **Actioning Officer** |
| All Service requests  (with the following **exceptions** listed below) | 6 years from ‘request closed’ or ‘Date closed’ field. | Cleanse UNIform & EDRMS EHSR, LISR and Legal Module  (with exceptions listed below) | wrsuniform team  Legal Administrator (Legal Module) |
| **Accident reports and investigations** | **Exception to above for children where it is 25 years from closure of investigation** | **Cleanse UNIform CP IVA and EDRMS in compliance.** | **wrsuniform team** |
| **Air Quality Management** | **Permanent –**  **Air Quality management Orders**  **Air Quality reports**  **Air Monitoring Data** | **Ensure LAQM case type on EHSR & EDRMS retained.**  **Website and shared drive** | **Technical Services Team** |
| **Asbestos – investigations, sampling results and reports** | **40 Years from last action** | **Ensure record is retained in compliance** | **Community Environmental Health & Trading Standards Manager** |
| **(Public Health) Burials** | **Permanent** | **Ensure PB case types on EHSR module retained** | **wrsuniform team** |
| **Contaminated Land (files, maps, service requests, public register, investigations and remediation)** | **Permanent** | **Ensure CI & PLAN case types on EHSR module & EDRMS and all CL module & EDRMS retained.**  **Public register kept on website** | **wrsuniform team** |
| **COVID related activity, plans, reports and procedures (Anything required by the COVID Inquiry to be retained until further notice)** | **Permanent (until further notice)** | **Ensure all files are maintained in compliance** | **Leadership Team** |
| **Drainage maps, reports and technical data** | **Permanent** | **Ensure DRAIN case types on EHSR module & EDRMS retained.** | **wrsuniform team** |
| **Food Inspection reports and records** | **6 years from date of record or if premises still open - retain last inspection** | **Cleanse UNIform CP IVA and EDRMS in compliance** | **wrsuniform team** |
| **Food Registration form** | **6 years from closure** | **Ensure UNIform CP case & EDRMS record retained.** | **wrsuniform team** |
| **Health & Safety Inspection reports and records** | **6 years from date of record or if premises still open - retain last inspection** | **Cleanse UNIform CP IVA and EDRMS in compliance** | **wrsuniform team** |
| **Industrial permitted process control and permits** | **6 years from closure/date no longer permitted process** | **Ensure UNIform and EDRMS for PPC Module cleansed in compliance** | **wrsuniform team** |
| **Infectious Diseases** | **Permanent** | **Ensure UNIform and EDRMS ID module retained** | **wrsuniform team** |
| **Radiation – investigations, monitoring (e.g. radon) and reports** | **50 Years from last action or at age 75 years whichever is the greater** | **Ensure record is retained in compliance** | **Community Environmental Health & Trading Standards Manager** |
| **RIDDOR records** | **10 years ( in line with HSE) except for those involving minors then retain until 21 years old** | **Cleanse UNIform CP IVA and EDRMS in compliance** | **wrsuniform team** |
| **Personal licenses** | **Permanent** | **Cleanse Archive/Hard copies and UNIform LI module and EDRMS in compliance** | **Kiran Lahel (hard copy & Archive)**  **wrsuniform team** |
| **Planning Consultation requests that relate to ‘contaminated land’ or ‘land contamination’** | **Permanent** | **Ensure UNIform EH SR ‘PLAN’ case type & associated files in EDRMS in compliance.** | **Wrsuniform team.** |
| **Premises licenses** | **6 years after surrender** | **Cleanse Archive and UNIform LI module & EDRMS in compliance** | **Kiran Lahel (hard copy & Archive) wrsuniform team** |
| **Registration, certification and licensing – charitable collections, lottery registrations, skin piercing,** | **6 years after registration/certification/licence lapses** | **Cleanse Archive and UNIform LI module and EDRMS in compliance** | **Kiran Lahel (hard copy & Archive)**  **wrsuniform team** |
| **Stray Dog Register** | **25 years after record created.** | **Cleanse Uniform DC module and EDRMS in compliance. Paperwork not to be retained once entered on UNIform.** | **WRSuniform team** |
| **Taxi drivers, vehicles, operators applications** | **6 years after expiry of licence** | **Cleanse Archive and UNIform LI module and EDRMS in compliance** | **Kiran Lahel (hard copy & Archive)**  **wrsuniform team** |
| **Temporary Event Notices** | **3 years plus current year** | **Cleanse Archive and UNIform LI module and EDRMS in compliance** | **Kiran Lahel (hard copy & Archive)**  **wrsuniform team** |
| **Water supplies – inspections/sample results** | **Permanent whilst supply in use** | **Cleanse UNIform & EDRMS PWS module in compliance** | **wrsuniform team** |
| Notices - objections, appeals, extensions, completion. Enforcement activity notices:  Notice of powers and rights Search with consent | 6 years after the date of objection, appeal, extension, completion or notice. | Cleanse UNIform and EDRMS using complied with field on Notice module in compliance | wrsuniform team |
| All flags of persons with threatening, intimidating, violent, aggressive behaviour and dangerous premises | Retain whilst issue remains current only | Monthly liaison with Districts and cleanse in compliance | wrsuniform team |
| Budget final accounts  Budget reporting actual vs. planned revenue and expenditure  Developing annual budget: | 6 years, unless held in same form elsewhere Destroy after next year's budget has been adopted  2 years after budget adopted | Cleanse shared drive annually in compliance | Management Team |
| Expenditure | By BDC in compliance with their policy | Check with BDC that complying | Management Team |
| Performance and Activity Reports | 2 years from closure | Cleanse Shared Drive, EDRMS & Website annually in compliance | Intel Unit |
| Business plans | 3 years from closure | Cleanse shared drive and EDRMS annually in compliance | Management Team |
| Committee reports/agendas/minutes | Permanent, background papers 1 year | Cleanse Shared Drive in compliance | Management Team |
| Complaints against the service | 6 years | Cleanse Shared Drive in compliance | Management Team |
| Contracts let | 6 years from completion of contract | Cleanse Shared Drive and paper files in compliance | Management Team |
| Contracts awarded to WRS | 6 years from completion of contract | Cleanse Shared Drive and paper files in compliance | Management Team |
| Tenders received | 6 years from letting contract | Cleanse Hard copies and shared drive in compliance | Management TEAM |
| Tenders submitted | 6 years from close of Tender window | Cleanse Hard copies and shared drive in compliance | Management Team |
| Computer back up records | By WFDC in compliance with their policy | Check with WFDC that complying | Paul White |
| Emergency planning - plan | Destroy when superseded | Cleanse EDRMS and Shared Drive in compliance | Management Team |
| Emergency planning - tests | 10 years after closure | Cleanse EDRMS & Shared Drive in compliance | Management Team |
| Equipment inspection/calibration records | 6 years after disposal of the equipment | Ensure EDRMS cleansed in compliance | wrsuniform team |
| Media releases/press cuttings | 3 years | Cleanse Shared Drive and EDRMS in compliance | wrsuniform team |
| Meeting reports/agendas/minutes – internal | 3 years  (except Licensing where it is Permanent) | Cleanse Shared Drive in compliance | All WRS staff – reminder by wrsuniform team |
| Officer Personal note books | 6 years from last action | Cleanse secure store | Legal Administrator |
| Prosecution– case files | 6 years from determination of case  (25 years where a minor is involved) | Cleanse secure store in compliance | Legal Administrator |
| RIPA including Communications Data Applications and Directed Surveillance | 3 years or until decision not to prosecute  6 mths from conviction date/end of sentence | Cleanse Hard copies and Shared Drive in compliance | Legal Administrator |
| Public consultation –Minor  Significant | 1 year from closure  5 years from closure | Cleanse Shared Drive in compliance | Management Team |
| Receipt books | 2 years | Cleanse hard and electronic copies in compliance | Finance Assistants |
| Risk assessments | 3 years after last assessment | Cleanse Shared Drive in compliance | Management Team |
| Statutory returns/returns to govt. | 6 years unless held by other organisation | Cleanse UNIform and EDRMS and Shared Drive in compliance | Wrsuniform team  Management Team |
| Surveys and questionnaires | Retain whilst relevant to current needs | Cleanse hard copies and shared drive in compliance | Kiran Lahel |
| Training/qualification and employment records including PDRs | 1 year following termination of employment | Cleanse hard copies and shared drive in compliance | Management Team |